

REMARKS

This is in response to the Office Action mailed December 2, 2005.

Claims 1 through 22 are currently pending in the application.

Claims 1 through 22 stand rejected.

Applicant has amended claim 1, and respectfully requests reconsideration of the application as amended herein.

Preliminary Amendment

Applicant's undersigned attorney notes the filing herein of a Preliminary Amendment on September 15, 2003, which filing was not acknowledged in the outstanding Office Action. Should the Preliminary Amendment have failed for some reason to have been entered in the Office file, Applicant's undersigned attorney will be happy to have a true copy thereof hand-delivered to the Examiner.

35 U.S.C. § 112 Claim Rejections

Claims 1 through 22 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses this rejection, as hereinafter set forth. Applicant has amended independent claim 1 to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Dependent claim 20 was amended in the Preliminary Amendment to the correct spelling of re-identified.

Applicant asserts that claims 1 through 22 are clearly allowable under 35 U.S.C. § 112, second paragraph.

Double Patenting Rejections

Claims 1 through 16 and 18 through 22 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4 through 7, 9, 11 through 25, 27, 28, 30, 32, 36 and 38 of U.S. Patent 6,587,980 B2.

Claims 1 through 4, 6 through 16 and 18 through 22 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4 through 7, 9, 13 through 25, 27, 28, 30, 32 through 36 and 38 of U.S. Patent 6,523,144 B2.

Claims 1 through 16 and 18 through 22 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4 through 7, 9, 11 through 25, 27, 28, 30, 32 through 35, 37 and 39 of U.S. Patent 6,321,353 B2.

Claims 1-22 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 through 6, 8 through 23, 25, 26, 28, 30, 32 through 37 and 39 of U.S. Patent 6,219,810 B1.

Claims 1 through 22 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3 through 6, 8 through 23, 25, 26, 28, 30, 32 through 37 and 39 of U.S. Patent 6,138,256.

Claims 1 through 22 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3 through 20, 22, 23, 25, 27, 29, 31 through 36, 39 and 41 of U.S. Patent 5,764,650.

In order to avoid further expenses and time delay, Applicant elects to expedite the prosecution of the present application by filing terminal disclaimers to obviate the double patenting rejections in compliance with 37 CFR §1.321 (b) and (c). Applicant's filing of the terminal disclaimers should not be construed as acquiescence in the Examiner's obviousness-type double patenting rejections. Attached are the terminal disclaimers and accompanying fees.

ENTRY OF AMENDMENTS

The amendments to claim1 above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application. Further, the amendments do not raise new issues or require a further search.

CONCLUSION

Claims 1 through 22 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicant's undersigned attorney.

Respectfully submitted,



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Date: March 2, 2006
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